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JUN 15 2005

OFFICE OF PETITIONS

In re Application of
Mika Lahtinen et al.
Application No. 10/693,905
Filed: October 28, 2003
Attorney Docket No. 010315-210

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:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:

This is in response to the renewed petition filed under 37 CFR 1.47(a) on February 18, 2005.

The petition is **GRANTED**.

The above-identified application was filed on October 28, 2003, naming Mika Lahtinen, Mikko Laukkanen, Sepo Yla-Herttuala and Ollie-Pekka Leppanen but the oath or declaration submitted was unexecuted. Accordingly, on June 1, 2004, a "Notice To File Missing Parts of Application" was mailed, requiring *inter alia* a properly executed oath or declaration. In response, on October 19, 2004, a petition under 37 CFR 1.47(a) and one month extension of time request was filed, accompanied by an oath or declaration signed only by inventors Laukkanen, Yla-Herttuala and Leppanen. The petition was dismissed February 18, 2005, the petition was dismissed because the petitioners failed to show that a complete application had been sent to non-signing inventor Mika Lahtinen.

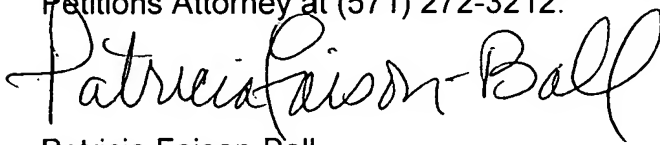
A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

In response to the decision dismissing the petition filed October 19, 2004, the instant petition shows that a complete application had been sent to non-signing inventor Mika Lahtinen and that he has, by his actions, refused to cooperate with the filing of the instant application.

All requirements under 37 CFR 1.47(a) therefore having been met, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This matter is being referred to Technology Center 1636 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink that reads "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial 'P'.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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75646 UPPSALA
SWEDEN

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JUN 1 5 2005

OFFICE OF PETITIONS

In re Application of
Mike Lahtinen et al.
Application No. 10/693,905
Filed: October 28, 2003
For: MEDICAL DEVICE

Dear Mr. Lahtinen:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (571) 272-3212. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:

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